PTO/SB/17 (10-03) Approved for use through 7/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE aperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. TA PADEM Undente Complete if Known **TRANSMITTAL** 09/525,041-Conf. #8342 Application Number March 14, 2000 Filing Date for FY 2004 Daniel R. Soppet First Named Inventor Effective 10/01/2003, Patent fees are subject to annual revision. **Examiner Name** S. N. Ungar 1642 Applicant claims small entity status. See 37 CFR 1.27 Art Unit PF178D2 Attorney Docket No. TOTAL AMOUNT OF PAYMENT (\$) FEE CALCULATION (continued) METHOD OF PAYMENT (check all that apply) Credit Card 3. ADDITIONAL FEES None Other Check x Deposit Account: Small Entity Large Entity Deposit Fee Fee 08-3425 Fee Description Fee Paid Code (\$) Code (\$) Number Deposit 1051 130 2051 65 Surcharge - late filing fee or oath Human Genome Sciences, Inc. Account Surcharge - late provisional filing fee or cover Name 25 2052 1052 50 The Director is authorized to: (check all that apply) X Credit any overpayments 1053 130 1053 130 Non-English specification X Charge fee(s) indicated below For filing a request for ex parte reexamination 1812 2.520 1812 Charge any additional fee(s) or any underpayment of fee(s) Requesting publication of SIR prior to 920° 9201 1804 1804 Examiner action Charge (ee(s) indicated below, except for the filling fee Requesting publication of SIR after 1805 1.840 1805 1.8401 to the above-identified deposit account. Examiner action Extension for reply within first month 2251 55 FEE CALCULATION 1251 110 Extension for reply within second month 2252 1252 420 210 1. BASIC FILING FEE 2253 Extension for reply within third month 1253 950 475 Large Entity Small Entity Fee Fee Description Fee Paid Fee Fee 1254 1,480 2254 740 Extension for reply within fourth month (\$) Extension for reply within fifth month 1001 770 2001 385 Utility filing fee 1255 2,010 2255 1,005 Design filing fee 1401 330 2401 165 Notice of Appeal 1002 340 2002 170 Filing a brief in support of an appeal Plant filing fee 1402 330 2402 165 1003 530 2003 265 Request for oral hearing 2004 385 Reissue filing fee 1403 290 2403 145 1004 770 Petition to institute a public use proceeding 2005 80 Provisional filing fee 1451 1,510 1451 1.510 1005 160 1452 2452 Petition to revive - unavoidable 55 110 SUBTOTAL (1) (\$) 0.00 Petition to revive - unintentional 1453 2453 665 1.330 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE 2501 665 Utility issue fee (or reissue) 1501 1,330 Extra Design issue fee 1502 480 2502 240 Fee Paid Claims below Plant issue fee 1503 2503 320 Total Claims 640 Independent Petitions to the Commissioner 1460 130 1460 130 Processing fee under 37 CFR 1.17(q) 50 1807 1807 Multiple Dependent 1806 180 1806 Submission of Information Disclosure Stmt Large Entity Small Entity Recording each patent assignment per Fee Fee (\$) 8021 40 8021 Fee Description property (times number of properties) Code (\$) Code

| SUBMITTED BY                      |  | (Complete (if applicable)) |                       |
|-----------------------------------|--|----------------------------|-----------------------|
| Name (Print/Type) Doyle A. Siever | Registration No. (Attorney/Agent) 47,088 | Telephone                  | (240) 314-4400, x3595 |
| Signature Dougle A. Siever        |  | Date                       | April 7, 2004         |

1809

1810

1801

1802

770

770

770

900

Other fee (specify)

2809

2810

2801

1802

\*Reduced by Basic Filing Fee Paid

385

385

385

1202

1201

1203

1204

1205

18

86

290

86

18

2202

2201

2203

2204

2205

9

43

Claims in excess of 20

over original patent

SUBTOTAL (2) (\$) 0.00
\*\*or number previously paid, if greater; For Reissues, see above

Independent claims in excess of 3

Reissue Independent claims

Multiple dependent claim, if not paid

Reissue claims in excess of 20 and over original patent

Filing a submission after final rejection

Request for Continued Examination (RCE)

SUBTOTAL (3) (\$)

0.00

For each additional invention to be

Request for expedited examination

examined (37CFR 1.129(b))

of a design application

(37 CFR 1.129(a))



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Soppet et al

Application No.: 09/525,041

Group Art Unit: 1642

Filed: March 14, 2000

Examiner: S. Ungar

For: Colon Specific Gene and Protein

## REPLY AND AMENDMENTS UNDER 37 C.F.R. § 1.111

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## Dear Sir or Madam:

In response to the Office Action mailed January 7, 2004, please enter the following amendments and consider the following remarks. Applicants submit herewith: (a) a Fee Transmittal Sheet with appropriate fee (in duplicate); (b) copy of partially redacted ATCC Deposit Receipt for Deposit Number 97129; (c) copy of publication Baier, et al., Jour. Virol., v.69, n.4, pp.2357-2365 (April 1995); (d) copy of publication Poon, et al., Jour. Biol. Chem., v.270, n.15, pp.8571-8577 (April 1995); (e) copy of publication Maloney, et al., Blood, v.84, n.8, pp.2457-2466 (October 1994); (f) Sequence Alignment Colon Specific Protein vs. U.S. Patent No. 5,436,169 SEQ ID NO:7; (g) printout of excerpted definitions for orthologue internet from the **NCBI** Field Glossary available on paralogue http://www.ncbi.nlm.nih.gov/Class/FieldGuide/glossary.html#A; and, (h) Boehringer Mannheim Biochemicals, Inc. 1994 Catalog, page 260.

Amendments to the Specification begin on page 2.

Amendments to the Claims begin on page 3.

Remarks begin on page 12.

Application No.: 09/525,041 1 Docket No.: PF178D2

## Amendments to the Specification

At page 6, line 1, please replace the paragraph which was inserted by preliminary amendment before the first paragraph, with the following rewritten paragraph (see Preliminary Amendment, page 2, submitted March 14, 2000):

The ATCC number referred to above is directed to a biological deposit with the ATCC American Type Culture Collection (ATCC), 10801 University Boulevard, Manassas, Virginia 20110-2209. The strain referred to is being maintained under the terms of the Budapest Treaty and will be made available to a patent office signatory to the Budapest Treaty.